Application Number	Application/Co 10/726,087		pplicant(s)/Patent under eexamination IM ET AL.					
Document Code - DISQ	Internal Doc		ocument – DC	cument – DO NOT MAIL				
TERMINAL DISCLAIMER			☐ DISAPP	☐ DISAPPROVED				
Date Filed : November 20, 2007	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by								
Approved/Disapproved by:								
Henry D. Jefferson								

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T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			14-Dec-07	APPL. S. N:	10726087				
To Exami	iner:		LIM, STEVEN	Art Unit	2617				
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Drop-Off Location	Case JEF-2D68	1			
SUBJECT	Γ: Decisio	n on Terminal	Disclaimer(T.D.) filed:						
form para or have a	agraphs i	dentified by th ions, please se	is informal memo in your se me or the Special Progi	the results as set forth below. next Office action to notify appram Examiner. THIS IS AN INF ED OF RECORD IN THE APPLICA	licant of the T.D. If you disag DRMAL, INTERNAL MEMO ONI	jree LY.			
please in	itial, date	and return th	is memo to me. THANK Y	ου.					
[\overline{\chi}	The T.D.	D. is PROPER and has been recorded (see 14.23).							
Γ	The T.D.	is NOT PROPE	R and has not been accep	oted for the reason(s) checked	below (see 14.24):				
		The TD fee ofhas not been submitted nor is there any authorization in the application file for the use of a deposit account							
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
	Г	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
	Γ	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termina portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
	Γ	The person who signed the T.D.:							
		is n	ot an attorney "of record"	(see 14.29 and 14.29.01).					
		has	failed to state his/her cap	pacity to sign for the business e	ntity (see 14.28).				
		is n	ot recognized as an office	r of the assignee (see 14.29 &	possible 14.29.02).				
	Γ	nor is the ree (see 37 CFR	l and frame number speci 3.73(b) and 1140 O.G. 72	itle from the original inventor(s) to assignee has been submitted, ed as to where such evidence is recorded in the Office . NOTE: This documentary evidence or the specifying of the reel and or in a separate paper of record in the application (see 14.30).					
		The T.D. is no	ot signed (see 14.26 & 14	.26.03).					
	Γ	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period di	sclaimed is incorrect or no	ot specified (see 14.26, 14.27.0	2 or 14.26.03).				
		Other:							
			request refund (see 14.3 neck this item.	36). NOTE: If already authorize	d, credit refund to deposit ac	count			
I have ap	propriate	ely notified app	olicant(s) of the status of	the Terminal Disclaimer filed ir	this case.				
Ex.Initial	s:	Dat	e:		Log Date:				

PTC/SB/26 (10-07)
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TERMINAL DISCLAIMER TO ORVIATE A DOUBLE PATENTING

| Docket Number (Optional)

REJECTION OVER A "PRIOR" PATENTING	678-245 CON (P8696)					
In re Application of: KIM, Young-Ky et al.						
Application No.: 10/726,087						
Filed: December 2, 2003						
For: DEVICE AND METHOD FOR EXCHANGING FRAME MESSAGES OF DIFFERENT COMMUNICATION SYSTEM	LENGTHS IN CDMA					
The owner*, Samsung Electronics Co., LTD. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,768,728 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.						
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.						
Check either box 1 or 2 below, if appropriate.						
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.						
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
2. The undersigned is an attorney or agent of record. Reg. No. 33,494						
Land Janell	November 20, 2007					
Signature	Date					
Paul J. Farrell						
Typed or printed name						
	516-228-3565 Telephone Number					
Terminal disclaimer fee under 37 CFR 1.20(d) included.	relephone rightber					
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be included on this form. Provide credit card information and authorization on PTO-2038.						
*Statement_under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/S8/96 may be used for making this certification. See MPEP § 324.						

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.